

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

ALLEGIANCE COAL USA LIMITED,
et al.,

Debtors.¹

Chapter 11

Case No. 23-10234 (CTG)

Jointly Administered

**SECOND² AMENDED NOTICE OF AGENDA FOR VIDEOCONFERENCE HEARING
SCHEDULED FOR MARCH 9, 2023 AT 1:00 PM (E.T.)**

This remote hearing will be conducted entirely over Zoom and requires all participants to register in advance. Please register prior to the hearing.

COURTCALL WILL NOT BE USED FOR THIS HEARING.

Please use the following link to register for this hearing:

<https://debuscourts.zoomgov.com/meeting/register/vJlscOCqqDsQHk1yNx27vqoU7Hg8zTHDsFk>

After registering your appearance by Zoom, you will receive a confirmation email containing information about joining the hearing.

**YOU MUST USE YOUR FULL NAME WHEN LOGGING INTO ZOOM OR
YOU WILL NOT BE ALLOWED INTO THE MEETING.**

Topic: In re Allegiance Coal USA Limited, *et al.*

Time: March 9, 2023 at 1:00 PM Eastern Time (US and Canada)

MATTERS GOING FORWARD

1. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Enter into and Perform under New Coal Sale Contracts in the Ordinary Course of Business, and (II) Granting Related Relief ([D.I. 57](#), filed 3/3/23).

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal EIN, are as follows: Allegiance Coal USA Limited (1324); New Elk Coal Holdings LLC (1314); New Elk Coal Company LLC (0615); and Black Warrior Minerals, Inc. (6486). The Debtors' mailing address for purposes of these chapter 11 cases is 12250 Highway 12, Weston, CO 81091.

² Amended items in **bold**.

Objection Deadline: At or before the hearing.

Responses Received:

- a. Informal comments from Marco International Corporation.**
- b. Informal comments from the United States Trustee (“U.S. Trustee”).**
- c. Informal comments from Collins St Convertible Notes Pty Ltd.**

Related Pleadings:

- a. Order Shortening Notice Related to Motions Filed by the Debtors on March 3, 2023 and on March 7, 2023 ([D.I. 68](#), entered 3/7/23).
- b. Notice of Hearing of First Day Motions ([D.I. 69](#), filed 3/7/23).
- c. Declaration of Jonathan Romcke in Support of First Day Motions ([D.I. 73](#), filed 3/8/23).**
- d. Certification of Counsel Regarding Interim Order (I) Authorizing the Debtors to Enter Into and Perform Under New Coal Sale Contracts in the Ordinary Course of Business, and (II) Granting Related Relief ([D.I. 78](#), filed 3/9/23).**
- e. Supplemental Declaration of Jonathan Romcke ([D.I. 81](#), filed 3/9/23).**

Status: This matter is going forward.

- 2. Debtors’ Application for Appointment of Stretto as Claims and Noticing Agent ([D.I. 62](#), filed 3/7/23).

Objection Deadline: At or before the hearing.

Responses Received:

- a. Informal comments from the U.S. Trustee.**

Related Pleadings:

- a. Order Shortening Notice Related to Motions Filed by the Debtors on March 3, 2023 and on March 7, 2023 ([D.I. 68](#), entered 3/7/23).
- b. Notice of Hearing of First Day Motions ([D.I. 69](#), filed 3/7/23).
- c. Declaration of Jonathan Romcke in Support of First Day Motions ([D.I. 73](#), filed 3/8/23).**
- d. Notice of Filing of Exhibits to Stretto Application ([D.I. 74](#), filed 3/8/23).**

e. Supplemental Declaration of Jonathan Romcke ([D.I. 81](#), filed 3/9/23).

Status: This matter is going forward.

3. Debtors' Motion for Entry of Interim and Final Orders (I) Prohibiting Utility Providers from Altering, Refusing or Discontinuing Utility Services, (II) Approving Proposed Adequate Assurance of Payment to Utility Providers and Authorizing Debtors to Provide Additional Assurance, (III) Establishing Procedures to Resolve Requests for Additional Assurance and (IV) Granting Related Relief ([D.I. 64](#), filed 3/7/23).

Objection Deadline: At or before the hearing.

Responses Received:

a. Informal comments from the U.S. Trustee.

Related Pleadings:

- a. Order Shortening Notice Related to Motions Filed by the Debtors on March 3, 2023 and on March 7, 2023 ([D.I. 68](#), entered 3/7/23).
- b. Notice of Hearing of First Day Motions ([D.I. 69](#), filed 3/7/23).
- c. **Declaration of Jonathan Romcke in Support of First Day Motions ([D.I. 73](#), filed 3/8/23).**
- d. **Certification of Counsel Regarding Interim Order (I) Prohibiting Utility Providers from Altering, Refusing or Discontinuing Utility Services, (II) Approving Proposed Adequate Assurance of Payment to Utility Providers and Authorizing Debtors to Provide Additional Assurance, (III) Establishing Procedures to Resolve Requests for Additional Assurance and (IV) Granting Related Relief ([D.I. 76](#), filed 3/8/23).**

e. Supplemental Declaration of Jonathan Romcke ([D.I. 81](#), filed 3/9/23).

Status: This matter is going forward.

4. Debtors' Motion for Entry of Interim and Final Orders Authorizing Debtors to (I) Continue Insurance Policies and Agreements Relating Thereto, (II) Honor Certain Prepetition Obligations in Respect Thereof, (III) Renew, Revise, Extend, Supplement, Change or Enter into New Insurance Coverage and Insurance Premium Financing as Needed in their Business Judgment, and (IV) Continue to Honor Insurance Premium Financing Obligations ([D.I. 66](#), filed 3/7/23).

Objection Deadline: At or before the hearing.

Responses Received:

- a. Informal comments from the U.S. Trustee.**
- b. Informal comments from Crum & Forster.**

Related Pleadings:

- a. Order Shortening Notice Related to Motions Filed by the Debtors on March 3, 2023 and on March 7, 2023 ([D.I. 68](#), entered 3/7/23).
- b. Notice of Hearing of First Day Motions ([D.I. 69](#), filed 3/7/23).
- c. **Declaration of Jonathan Romcke in Support of First Day Motions ([D.I. 73](#), filed 3/8/23).**
- d. **Certification of Counsel Regarding Interim Order Authorizing Debtors to (I) Continue Insurance Policies and Agreements Relating Thereto, (II) Honor Certain Prepetition Obligations in Respect Thereof, (III) Renew, Revise, Extend, Supplement, Change or Enter into New Insurance Coverage and Insurance Premium Financing as Needed in Their Business Judgment, and (IV) Continue to Honor Insurance Premium Financing Obligations ([D.I. 80](#), filed 3/9/23).**
- e. **Supplemental Declaration of Jonathan Romcke ([D.I. 81](#), filed 3/9/23).**

Status: This matter is going forward.

(Signature page follows.)

Dated: March 9, 2023
Wilmington, Delaware

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Paige N. Topper

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